Mr. Hedrick Smith
New York Times
1000 Connecticut Ave., NW
Washington, D.C. 20036

12/2/82

Dear Mr. Smith,

It is about time for the appeals court decision in the oldest of all FOIA cases, my suit for the scientific testing in the JFK assassination. This is the case over which Congress amended the investigatory files exemption and opened the files of the FBI and CIA, which results and sensational disclosures of which you are aware. I think it will be the appeals court's sixth decision in this case.

At this stage I have asked that the FBI be required to do two tests over again because they claim not to be able to find the records. If I prevail it will be quite exceptional, and I think I have a reasonably good chance.

The evidence I have amassed and presented the courts is solid and to the best of my knowledge irrefutable. The results of either of these tests will entirely destroy the official solution to that crime.

Because of my health I was not able to be present for oral arguments. It is my lawyer, Jim Lesar's impression, that the court was not unfriendly.

The case record is enormous but the briefs are not. Jim or I can make copies available.

If you would care to talk to me about this, I am usually home afternoons, beginning about 11 a.m. I spend mornings in therapy. My phone is 301/473-8186. Jim's is 703/276-0404.

Sincerely,

Harold Weisberg